

PATENT



Docket No. 0140-4126US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : C. Robert Gasparrini et al.
Serial No. : 09/094,991 Group Art Unit: 2854
Filed : June 15, 1998 Examiner: R. Yan
For : **SOAK ON SITE AND SOAK ON PRESS
CLEANING SYSTEM AND METHOD OF USING SAME**

CERTIFICATE OF MAILING (37 C.F.R. 1.8a)

ASSISTANT COMMISSIONER OF PATENTS
Washington, DC 20231

Sir:

I hereby certify that the attached:

1. Response to Restriction Requirement (two copies);
2. Return postcard

(along with any paper(s) referred to as being attached or enclosed) and this Certificate of Mailing are being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to the: Assistant Commissioner of Patents, Washington, D.C. 20231.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Date: April 3, 2000

By: Brett M. Hutton

Brett M. Hutton

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Assistant Commissioner For Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

S I R:

In response to the Office Action dated March 16, 2000, requiring restriction to one of two groups of claims, Applicants respectfully submit the following response.

I. The Examiner's Restriction Requirement

The Examiner has required restriction to one of the following groups of claims under 35

U.S.C. §121:

Group I – Claims 44 and 45, drawn to a method for presoaking a cleaning fabric on site, classified in class 427, subclass 179, and

Group II – Claims 46-50, drawn to a device for soaking a strip of cleaning fabric on site, classified in class 118, subclass 405.

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II. Applicant's Election

Applicants elect to pursue prosecution of Group II, Claims 46-50. Applicants respectfully submit that claims 46-50 are properly categorized as within Group II because they depend from claims 46 and 49.

This election is made with traverse. Applicants respectfully submit that for a restriction requirement to be proper, "[t]here must be a serious burden on the examiner if restriction is not required." M.P.E.P. §803. Applicants respectfully submit that (1) all groups of restricted claims are properly presented in the same application; (2) undue diverse searching should not be required; and (3) all claims should be examined together. For the foregoing reasons, it is respectfully submitted that the restriction requirement should be withdrawn and an action on the merits of all the claims is respectfully solicited.

III. Conclusion

In the event that a telephone conference would facilitate examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

The Commissioner is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment to Deposit Account No. 13-4000, Order No. 0140-4126US1.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an

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extension of time to Deposit Account No. 13-4500, Order No. 0140-4126US1. A DUPLICATE
COPY OF THIS PAPER IS ATTACHED.

Dated: April 3, 2000

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

By: *John T. Hohenthanner*
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Registration No. 45,820

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